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EXHIBIT 1

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-00487 RMW
)	
Plaintiff,)	STIPULATION AND []
)	ORDER TO CONTINUE
v.)	RESTITUTION HEARING
)	
ALBERT KE-JUNG HU,)	
)	
Defendant.)	
)	

WHEREAS, the defendant ALBERT KE-JUNG HU is scheduled to appear before this Court on Monday, March 18, 2013, for a hearing on restitution in the above-entitled action;

WHEREAS, both counsel for the United States are likely to be unavailable on March 18, 2013, as AUSA Fazioli is currently in a trial in another matter in the San Jose Division of this District that is expected to continue through the week of March 18, 2013, and AUSA Lucey will likely be required to be in the San Francisco courthouse of this District for the initial appearance on another matter on March 18, 2013;

WHEREAS, the parties have determined that there is a need for a continuance in order to permit continuity of counsel;

STIPULATION AND [] ORDER
CR 09-00487 RMW

1 WHEREAS, the parties have conferred and determined that Monday, April 15, 2013, at
2 9:00 a.m., is an available and agreeable date for the Court's calendar and the calendar of all
3 counsel;

4 THEREFORE, the parties jointly request and stipulate that the sentencing in this matter
5 be continued until **Monday, April 15, 2013, at 9:00 a.m.** As this matter relates to the
6 defendant's cooperation, the parties jointly request that it be filed and maintained under seal,
7 except that copies may be provided to counsel for each party.

8 **IT IS SO STIPULATED:**

9
10 DATED: 3/8/2013


/s/
JERRY FONG
Attorney for ALBERT KE-JUNG HU

11
12
13 DATED: 3/8/2013

/s/
TIMOTHY J. LUCEY
Assistant United States Attorney

14
15
16
17 **IT IS SO ORDERED.**

18 DATED: HFI HFI


HON. RONALD M. WHYTE
United States District Judge